

IN RE: PETITION FOR SPECIAL HEARING • BEFORE THE
NE/S Taylor Ave., 168 ft. NW • ZONING COMMISSIONER
of c/1 Deckerts Lane • OF BALTIMORE COUNTY
3310 Taylor Avenue • 14th Election District • CASE # 92-174-SPH
6th Councilmanic District •
The Parkwood Cemetery Co. •
Petitioner •

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), a determination that the property located at 3310 Taylor Avenue is a nonconforming use and is, thereby, permissible.

The Petitioner, The Parkwood Cemetery Company, by its President, Robert A. Rossi, appeared and was represented by G. Scott Barhight, Esquire. There were no Protestants or other witnesses present.

Mr. Barhight proffered the Petitioner's testimony and offered numerous documents into evidence which are part of the record of this case. The evidence presented indicates that the subject parcel is 130 acres +/- in total area and straddles the Baltimore County/Baltimore City line. Approximately 44 acres are contained in Baltimore County and 86 acres in Baltimore City. Of the 44 acres in Baltimore County, 6 acres are on the north side of the parcel and 38 are on the southeastern side. The property in Baltimore County contains 3 different zoning classifications, including D.R.3.5, D.R.5.5 and D.R.16.

It was proffered that the cemetery has conducted operations at this site for some time. Recently, however, the company applied for a building permit to construct a mausoleum on the Baltimore County portion of the property. During the permitting process, it was discovered that the use had

never obtained zoning approval and thus, the subject Petition to establish a nonconforming use was filed. The evidence presented was overwhelming and uncontradictory that the use on site is permitted under Section 104 of the B.C.Z.R. Specifically, the Petitioner presented documents which established that cemetery lots were sold as early as 1920 and that the first burial in Parkwood was in that same year. It is also clear that the portion of the property located in Baltimore County has been part of the cemetery use since prior to the adoption of the regulations.

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive set of zoning regulations.

Baltimore County adopted a new set of comprehensive zoning regulations on March 30, 1955. The issue of nonconforming uses are dealt with in Section 104 of those regulations. Ultimately, Section 104.1 was changed to its current language on March 15, 1976 by Bill No. 18-76. On August 4, 1980, the current language found in Section 104.2 was added to the B.C.Z.R. by Bill No. 167-80.

In reviewing the evidence presented, it is apparent that the use of this property as The Parkwood Cemetery existed on the subject parcel prior to January 2, 1945. Further, there has been no change in the use of the subject property. Although the cemetery has expanded throughout the parcel, said expansion has been restricted to the original grounds and it is clear that the present use is not a different use, nor does same break the continued nature of the nonconforming use.

Based upon the overwhelming evidence, the special hearing shall, therefore, be granted.

-2-

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of Dec., 1991 that, pursuant to the Petition for Special Hearing, a determination from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), that the property located at 3310 Taylor Avenue is a nonconforming use, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein.

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 12/14/91
By Mr. Rossi

-3-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887 3353

December 9, 1991

G. Scott Barhight, Esquire
500 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 92-174-SPH
The Parkwood Cemetery Co., Petitioner

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

JRH:mmm
att.
cc: Robert A. Rossi

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming cemetery.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: Legal Owner(s): The Parkwood Cemetery Co.
By: Robert A. Rossi, President
(Type or Print Name)
Signature: Robert A. Rossi
Address: 3310 Taylor Avenue
City and State: Baltimore, MD 21234
Attorney for Petitioner: G. Scott Barhight
(Type or Print Name)
Signature: G. Scott Barhight
Address: 500 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204
City and State: Towson, MD 21204
Attorney's Telephone No.: 832-2050



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: WCB DATE 10-9-91

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204



92-174-SPH

October 9, 1991

ZONING DESCRIPTION

All that piece or parcel of land situate, lying, and being in the Fourteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point on the northeast side of Taylor Avenue distant 168' northwesterly, measured along the northeast side of Taylor Avenue from the center of Deckerts Lane, thence running and binding along the northeast side of Taylor Avenue the five following lines viz: Northwesterly by a line curving toward the left, having a radius of 725 feet for an arc distance of 222.11 feet (the chord of said arc bearing North 43 degrees 20 minutes 24 seconds West 221.25 feet), North 52 degrees 07 minutes 00 seconds West 217.65 feet, Northwesterly by a line curving toward the right, having a radius of 750 feet for an arc distance of 196.56 feet (the chord of said arc bearing North 44 degrees 36 minutes 31 seconds West 196.00 feet) North 37 degrees 06 minutes 02 seconds West 702.56 feet and Northwesterly by a line curving toward the right, having a radius of 1950 feet for an arc distance of 136.89 feet (the chord of said arc bearing North 35 degrees 05 minutes 22 seconds West 136.86 feet), thence leaving said Taylor Avenue and running for the property lines of the grantor herein, the 18 following lines viz: Northwesterly by a line curving toward the right, having a radius of 30 feet for an arc distance of 30.15 feet (the chord of said arc bearing North 4 degrees 17 minutes 21 seconds West 28.90 feet), North 24 degrees 30 minutes 4 degrees 17 minutes 21 seconds West 15.00 feet, North 43 degrees 29 minutes East 65.69 feet, Northeast by a line curving toward the right, having a radius of 250 feet for an arc distance of 82.84 feet (the chord of said arc bearing North 33 degrees 59 minutes 35 seconds East 82.46 feet), North 46 degrees 30 minutes 50 seconds West 15.00 feet, North 43 degrees 29 minutes East 1726.90 feet, South 46 degrees 24 minutes 00 seconds East 1742.43 feet, North 86 degrees 56 minutes East 28.30 feet, South 57 degrees 24 minutes East 71 feet, South 36 degrees 07 minutes 48 seconds East 703.77 feet, Southeast by a line curving toward the left, having a radius of 1960.08 feet for an arc distance of 1246.70 feet (the chord of said arc bearing South 54 degrees 21 minutes 05 seconds East 1225.79 feet), South 41 degrees 13 minutes 20 seconds West 425.92 feet, South 41 degrees 13 minutes 20 seconds West 174.43 feet, North 80 degrees 44 minutes 20 seconds West 334.66 feet, South 99 degrees 25 minutes 45 seconds West 82.50 feet, South 86 degrees 18 minutes 20 seconds West 189.19 feet, North 67 degrees 23 minutes 30 seconds West 987.70 feet, South 84 degrees 33 minutes West 988.49 feet, and North 51 degrees 41 minutes 40 seconds West 191.42 feet.

Compiled from deeds and surveys.

Containing 130 Acres of land more or less, saving and excepting 86 Acres located in Baltimore City, with the net area lying in Baltimore County being 44 Acres of land more or less.

Being the land belonging to the Parkwood Cemetery Company and shown on a plat filed with the Zoning Department.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14th Date of Posting: 11/12/91
Posted for: Special Hearing
Petitioner: The Parkwood Cemetery Co.
Location of property: NE/S Taylor Ave. 168' NW of Deckerts Lane
3310 Taylor Ave.
Location of Sign: NE/S Taylor Ave. 168' NW of Deckerts Lane
Remarks: Petitioner's Petition for Special Hearing
Posted by: [Signature] Date of return: 11/12/91
Number of Signs: 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14th Date of Posting: 11/12/91
Posted for: Special Hearing
Petitioner: The Parkwood Cemetery Co.
Location of property: NE/S Taylor Ave. 168' NW of Deckerts Lane
3310 Taylor Ave.
Location of Sign: NE/S Taylor Ave. 168' NW of Deckerts Lane
Remarks: Petitioner's Petition for Special Hearing
Posted by: [Signature] Date of return: 11/12/91
Number of Signs: 1

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/31/91.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/31/91
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/31/91.

THE JEFFERSONIAN,

Publisher



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150
Number

Date

Debit: 453354, CH60 \$175.00
SA 04352629-0-02-91

Please Make Checks Payable To: Baltimore County



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150
Number

Date

Debit: 453354, CH60 \$35.91
SA 04352629-0-02-91

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

COPY

WTE: 11-6-91

The Parkwood Cemetery Company
3310 Taylor Avenue
Baltimore, Maryland 21234

RE:
Case Number: 92-174-SPH
NE/S Taylor Avenue, 168' NW of c/l Deckerts Lane
3310 Taylor Avenue
14th Election District - 6th Councilmanic
Petitioner(s): The Parkwood Cemetery Company
HEARING: WEDNESDAY, NOVEMBER 20, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 86.91 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the zoning office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Lawrence E. Schmidt
Lawrence E. Schmidt
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

G. Scott Barhight, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

COPY

OCTOBER 22, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 92-174-SPH
NE/S Taylor Avenue, 168' NW of c/l Deckerts Lane
3310 Taylor Avenue
14th Election District - 6th Councilmanic
Petitioner(s): The Parkwood Cemetery Company
HEARING: WEDNESDAY, NOVEMBER 20, 1991 at 2:00 p.m.

Special hearing to approve a non-conforming cemetery.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: The Parkwood Cemetery Company
G. Scott Barhight, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

NOVEMBER 8, 1991

NOTICE OF POSTPONEMENT

CASE NUMBER: 92-174-SPH
LEGAL OWNER(s): The Parkwood Cemetery Company
LOCATION: 3310 Taylor Avenue

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO HEARD ON WEDNESDAY, NOVEMBER 10, 1991, HAS BEEN POSTPONED AT THE REQUEST OF G. SCOTT BARHIGHT, ATTORNEY FOR THE PROPERTY OWNER(S).

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

Arnold Jablon
Arnold Jablon
Director

cc: The Farwood Cemetery Company

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



11 West Chesapeake Avenue
Towson, MD 21204

887-3353

NOTICE OF NEW HEARING DATE

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 92-174-SPH
NE/S Taylor Avenue, 168' NW of c/l Deckerts Lane
3310 Taylor Avenue
14th Election District - 6th Councilmanic
Petitioner(s): The Parkwood Cemetery Company
HEARING: TUESDAY, DECEMBER 3, 1991 at 11:00 a.m.

Special Hearing to approve a non-conforming cemetery.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: The Parkwood Cemetery
G. Scott Barhight, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 92-174-SPH
NE/S Taylor Avenue, 168' NW of c/l Deckerts Lane
3310 Taylor Avenue
14th Election District - 6th Councilmanic
Petitioner(s): The Parkwood Cemetery Company
HEARING: TUESDAY, DECEMBER 3, 1991 at 11:00 a.m.
3

Special Hearing to approve a non-conforming cemetery.

Zoning Commissioner of
Baltimore County

cc: The Parkwood Cemetery
G. Scott Barhight, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 6, 1991

G. Scott Barhight, Esquire
500 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 184, Case No. 92-174-SPH
Petitioner: Robert A. Rossi, et ux
Petition for Special Hearing

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: November 6, 1991
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

James E. Dyer
Very truly yours,
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Robert A. Rossi
The Parkwood Cemetery Co.
3310 Taylor Avenue
Baltimore, MD 21234



887-3454

Your petition has been received and accepted for filing this
9th day of October, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Long
Chairman
Zoning Plans Advisory Committee

Petitioner: The Parkwood Cemetery, et al
Petitioner's Attorney: G. Scott Barhight

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 29, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Parkwood Cemetery, Item No. 184
Flamm Property, Item No. 167
Guercio Property, Item No. 168
Perene Property, Item No. 169
Wasilowski Property, Item No. 170
Mahaffey Property, Item No. 171
Miller & Hatfield Property, Item No. 179
Van Property, Item No. 186
Charvat Property, Item No. 187
Reynolds Property, Item No. 188
Freund Property, Item No. 189

In reference to the petitioners' requests, the staff offers
no comments.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/rdn
ITEM184/TXTROZ



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

887-3454

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: THE PARKWOOD CEMETERY COMPANY

Location: 3310 TAYLOR AVENUE

Item No. 184 Date Recd: OCTOBER 22, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the corners have been established and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and
Approved: *John J. Brady*
Fire Prevention Bureau

PK/JL/rdn

DATE: November 6, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 22, 1991

This office has no comments for item numbers 124, 166, 167, 168, 169,
173, 174, 175, 176, 179, 180, 181, 182, 184, 186, 187, 188 and 189.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

#184

PK
TO: Joe-M
Would you discuss
this with me.
PAS-Y

92-174-SPH

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: P. David Fields
FROM: Arnold Jablon
RE: Parkwood Cemetery

September 20, 1991

The above captioned cemetery wishes to construct a wall within
which remains will be interred. This cemetery is located physically
within both the county and the city. Due to financial considerations,
the cemetery has requested permission to proceed with construction
immediately. The Office of Zoning Administration has agreed with the
condition that the cemetery file for a special hearing to determine
whether it is a nonconforming use. This must be accomplished within 60
days.

However, it has come to my attention that Current Planning is or
will require a CRG or a waiver therefrom.

I do not believe that either is necessary. When one looks at the
definition of "development", "subdivision" and "building", it would
seem that the proposed construction at the cemetery would not require
CRG review. The type of construction contemplated here does not come
within the parameters of these phases, which form the cornerstone of
CRG review.

Therefore, I am requesting that the Office of Planning review this
project and consider my opinion that no waiver from a CRG approval is
required.

AJ:ech

txtch/parkwood

RECEIVED
SEP 23 1991
PLANNING & ZONING

92-174-SPH

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: October 29, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for October 22, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 124, 167, 168, 169, 170, 173, 176, 178, 179, 180,
184, 186, 187, 188 and 189.

In addition, we have no comments at this time for
Item #438 (Case No. 91-466).

For Item 166, we will have no comments until the
County Review Group Meeting.

For Item 171, see our County Review Group comments
dated October 10, 1991.

For Items 174 and 175, minor subdivision review comments
were prepared for this site, dated October 9, 1990.

Item 181 represents a minor subdivision, which should
be processed through the minor subdivision procedure.

For Item 182, no comments are necessary on density
transfer.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s



111 West Chesapeake Avenue
Towson, MD 21204

Provisional Approval

Permit No: 925427

(C-1732-91)

DATE: 9/9/91

LOCATION: 3310 Taylor Ave (Parkwood Cemetery)

The issuance of this permit in no way grants or implies approval of
any matter relating to this property which is in conflict with the
Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:
(Please check appropriate box(es))

- ☐ Owner has filed for a public hearing, Item # _____.
- ☒ Owner must file for a public hearing within 30 days
before the Zoning Commissioner requesting relief from all
conflicts with the Baltimore County Zoning Regulations.
- ☐ Owner/contract purchaser must submit a complete revised site
development plan and requested accompanying information
within _____ days resolving all possible conflicts with the
Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the
construction indicated in the above-referenced permit.

However, in the event that any or all of the above conditions are not
completed as stipulated, and/or the petition for relief has been
denied, dismissed or withdrawn, this provisional approval is rescinded
forthwith.

Immediately thereafter the owner/contract purchaser must return the
property to the condition it was in prior to the beginning of said
construction and accepts full financial liability in the matter.

I have read the above statement and I agree to abide by the decision of
the Zoning Commissioner if applicable in this matter. I also hereby
certify that I the undersigned am in fact the owner and if applicable
the contract purchaser and not just an agent for same.

Signed: *Robert A. Rossi*
Owner- PRESIDENT

(Please print clearly)

Name: *Robert A. Rossi*
Address: *3310 Taylor Ave*
Baltimore, Maryland 21204
Work Phone: *301-444-4574*
Home Phone: _____

Signed: _____
Contract Purchaser

(Please print clearly)

Name: _____
Address: _____
Work Phone: _____
Home Phone: _____

#184

887-3553

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON

500 COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
301-832-2000

FAX: 301-832-1015

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202
TELEPHONE 301-440-0700

G. SCOTT BARRHIGHT
DIRECT NUMBER
301-832-2000

November 4, 1991

VIA HAND DELIVERY

Lawrence E. Schmidt, Esquire
Zoning Commissioner of Baltimore County
Office of Zoning Administration
and Development Management
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Case No. 92-174-SPH
Petitioner: The Parkwood Cemetery Company
Hearing: Wednesday, November 20, 1991 at 2:00 p.m.

Dear Larry:

Thank you for the Notice of Hearing regarding the Parkwood
Cemetery Company. Unfortunately, I have a previously scheduled
Board of Appeals hearing that same date regarding an appeal of a
Zoning Commissioner's Order. Since the Board of Appeals case is
one of five scheduled hearing dates, I am sure that the hearing
will take up the entire day.

In light of this scheduling conflict, and on behalf of my
client, the Parkwood Cemetery Company, I respectfully request
that the hearing previously scheduled for November 20, be
rescheduled at your earliest convenience. Should you have any
questions or comments, please feel free to contact me.

Sincerely,

G. Scott Barhight

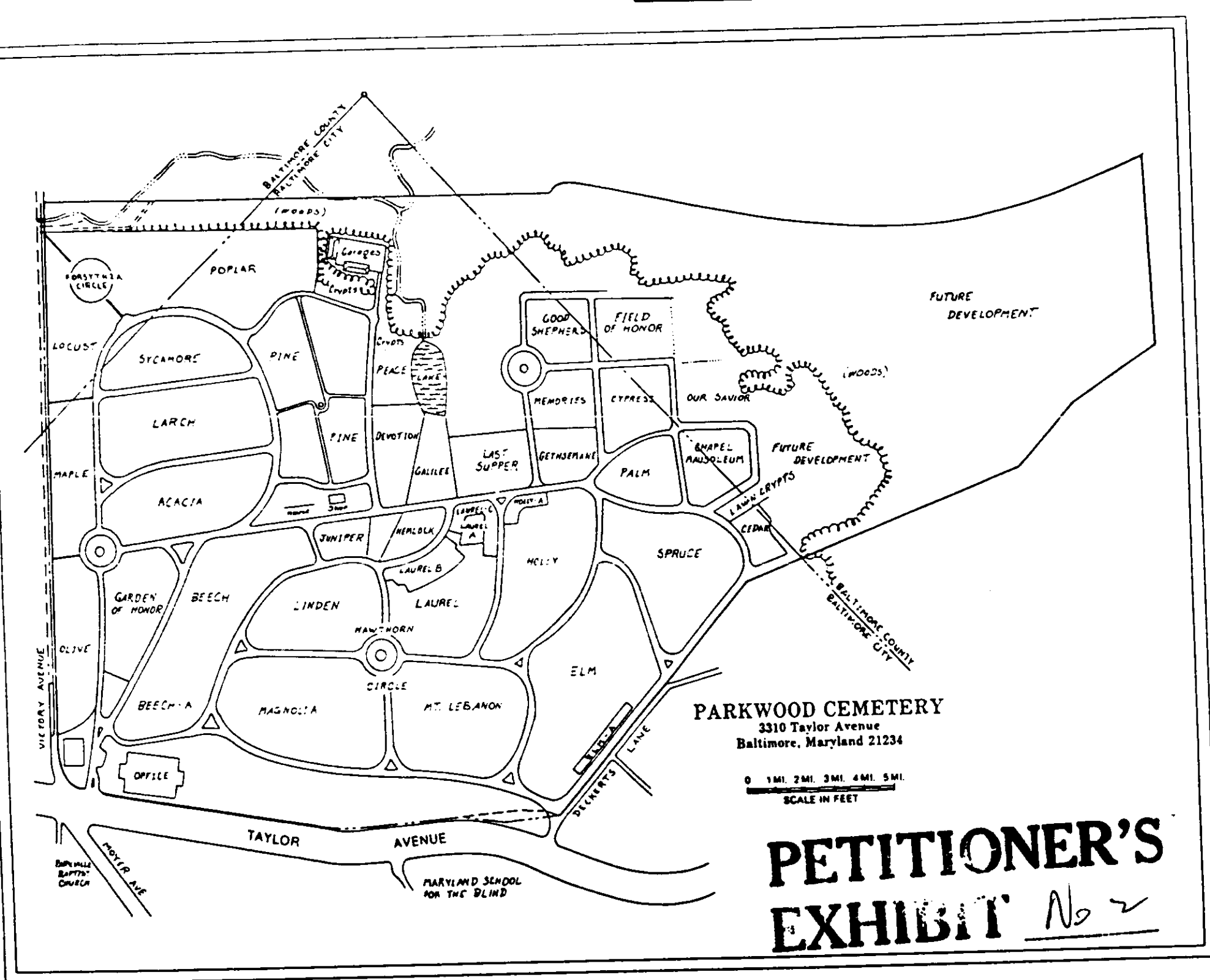
GSB:crp
cc: Mr. Robert A. Rossi
Ms. Gwenn Stephens (via hand-delivery)

PETITIONER(S) SIGN-IN SHEET

NAME _____

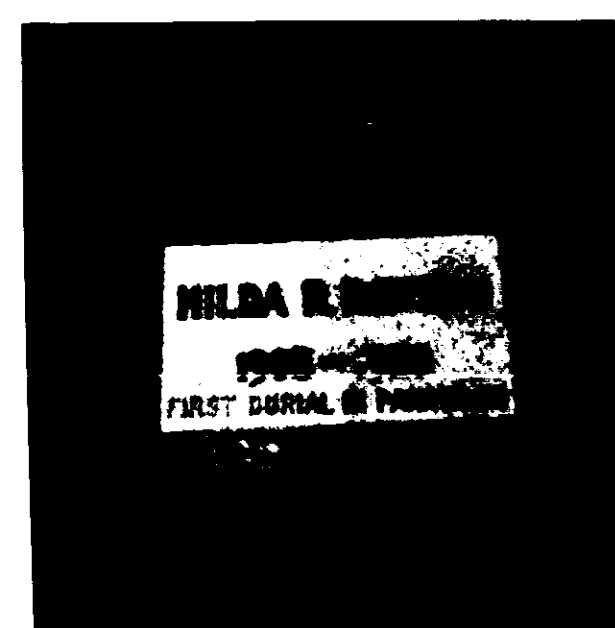
ADDRESS

John H. Rosen 334 TAYLOR AVE 21234



| DATE | SEED NO. | NAME | ADDRESS | LEV. | SECTION | GRAVES | REMARKS |
|---------|----------|--------------------------------------|--------------------------------|------|-----------|------------------------------------|---|
| May 15 | 1 | Joe Wada, Mrs. W. E. Wada | 615 1/2 E. 1st St. N. Hamilton | 92 | Mag. vol. | Wada, John W. & Joseph A. Wada | |
| 27 | 2 | Paul, John & Paul St. | 100 1/2 1st St. Hamilton | 33.5 | | | |
| June 1 | 3 | James Jacob St. | 100 1/2 1st St. Hamilton | 484 | | Shaw Graves | See 114 page 10 Shaw's record book No. 100-1154 |
| 1 | 4 | Joseph Lewis P. Wadsworth | Carrollville Md. | 119 | | | |
| 11 | 5 | Marshall John W. & Mary E. | Roseburg, Md. | 334 | | | |
| 10 | 6 | Umbach, N. B. & Margaret | Carrollville, Md. | 459 | | | |
| 6 | 7 | Lewis, Laura E. | Hamilton, Md. | 143 | Linden | | Indicate Seed |
| 19 | 8 | Joseph Griffith, Elias W. & Margaret | Carrollville, Md. | 147 | | | |
| 1 | 9 | John Jacob, Mrs. W. E. Wada | 615 1/2 E. 1st St. N. Hamilton | 477 | Magnolia | Wada, John W. & Joseph A. Wada | See 114 page 10 Shaw's record book No. 100-1154 |
| July 16 | 10 | Edward, Mrs. John W. & Mary E. | Shaffersburg, Hamilton | 262 | Linden | | |
| Aug 1 | 11 | Ward, Vernon C. & Mary | 62 E. Oliver St. Baltimore | 322 | | | |
| July 28 | 12 | Butch, Robert A. & Butch | Kearnsville, Md. | 288 | | | |
| Aug 3 | 13 | Schubert, Louis C. & Mary | Roseburg, Md. | 315 | Magnolia | | 1/4 lb. 0 page 10 Shaw's record book No. 100-1154 |
| 7 | 14 | Butch, Hugh & Mary | Hamilton, Md. | 134 | | 6 grams | |
| 9 | 15 | Butch, Hugh W. & Mary | 417 Homestead St. | 483 | | | |
| July 26 | 16 | Ellis, Edward & Ellis | 316 Hamilton St. | 130 | Linden | | See 114 page 10 Shaw's record book No. 100-1154 |
| Aug 19 | 17 | Schubert, Frank | 408 E. Preston St. | 282 | Magnolia | Shaw's record book No. 100-1154 | |
| 19 | 18 | Phillips, Lillian | Atterton St., Hamilton | 478 | | Phillips, Lillian | See 114 page 10 Shaw's record book No. 100-1154 |
| 19 | 19 | Ball, Joshua M. | 2405 E. Federal St. | 311 | Linden | | |
| 24 | 20 | Hook, George | 1516 E. Oliver St. | 483 | Magnolia | | |

**PETITIONER'S
EXHIBIT No 3**



Ref 3x 1/10

LET OWNER *Schreyer, Leonard & Elizabeth*
ADDRESS *6317 Webster St.* 4200 Glenmore Avenue
CITY *Cape May* DIST. NO. 4777
AGE
LOCATION
DEED MADE IN NAME:
ELIZABETH SCHREYER
REMARKS *June 13, 1938.*
PAID AMT. TERM *\$100.00 - \$5.00 Monthly*
REMARKS *Piering*

Lot Owner *Wistman; Inc.* SALE ORDER *4480*
ADDRESS *4002 Webster Ave.* Lot No. *546*
PLAT *Waples* DOW No. *5610*
APR
LOCATION *Trs. 2-3*
REMARKS *Sept. 28, 1933.*
PRICE AND TERMS *\$55.⁰⁰ - \$5.⁰⁰ Monthly*
BALANCE *McCloskey*
8-29-31-1939

Ings # 21-E - (P2):
 Dorothy Beauchamp 6/1/50 - 70-28-
 17/22/50 Dorothy Beauchamp
 moved from above grave to MS9 Burial
 444 Poplar - gr 70-2 f433 80

| RECORD OF INTERMENTS | | Date of Burial | Int. Bur. No. |
|----------------------|-------------------|----------------|---------------|
| 1 | John L. Dittmeier | 7/4/50 | 60-37 |
| 2 | Louise Dittmeier | 7/5/50 | 112-33 |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | | | |

LET OWNER ^(deleted) Drimble, John D. 27 E York St. SALE ORDER No. 3186
 PLANT Locust Lot No. 263
 AREA SUPERFICIAL PEST In Plant Description - Dues No. 2160
 LOCATION 26.
 REMARKS May 9, 1931.
 TERMS OF PURCHASE AS FOLLOWS: Time
 SALESMAN Office - S. C. B.

| RECORD OF INTERMENTS | | Date of Burial | Int. Reg. No. |
|----------------------|-----------------------------------|-------------------|---------------|
| 1/4 | 1 Elizabeth H. Scherer | 1/4/16 | 183-21 |
| 1/11 | 2 Otto Scherer | 1/4/16 | 354-15 |
| on top of 1/11 | 3 Elizabeth (sister of 2) Scherer | 1/4/16 | 354-15 |
| E 91192 | 4 Albert C. Scherer | 1/4/16 | 74-24 |
| | 5 | | |
| | 6 | | |
| | 7 | | |
| | 8 | | |
| 24-31 | 9 | | |
| | 10 | | |
| | 11 | | |
| | 12 | | |
| | 13 | | |
| | 14 | | |

Fig. 2-3

10 ft

12 ft

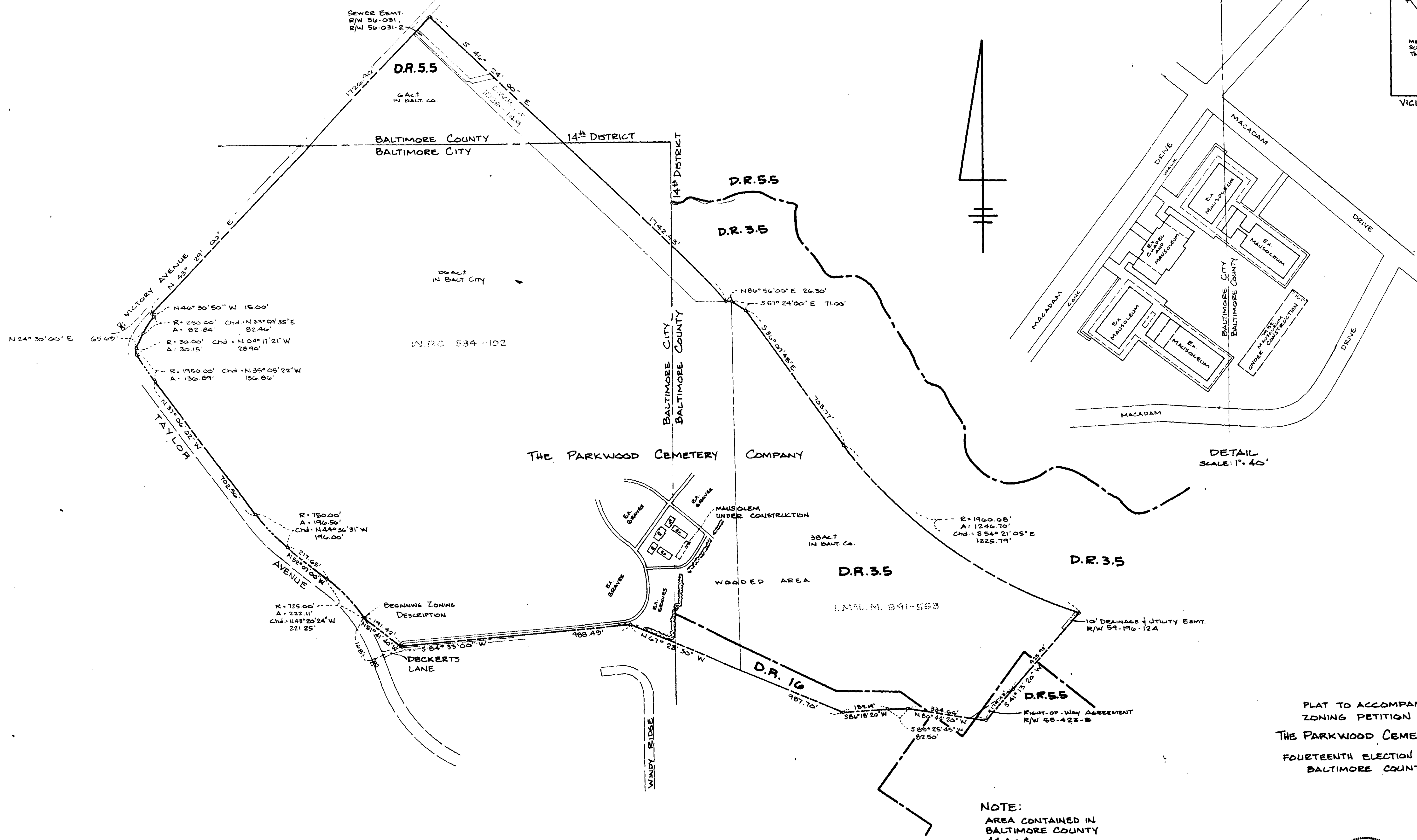
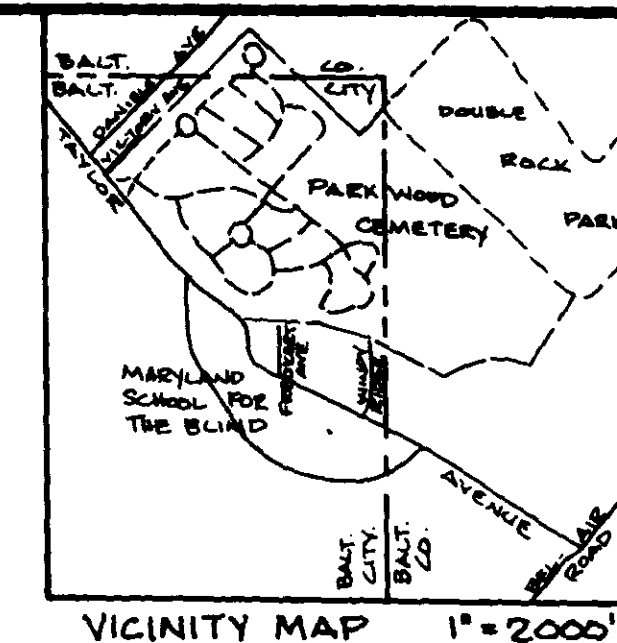
front

9/56 18 M. out
2 y.s.
F 99973.

| RECORD OF INTERMENTS | | Date of Burial | Int. Rep. No. |
|----------------------|-----------------|----------------|---------------|
| 1 | | | |
| 2 | Anna J. Whitman | 44/11 | 251-27 |
| 3 | Wm. C. Whitman | 8/25/33 | 72-17 |
| 4 | | | |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |

| | | | |
|-----------------|---------------------|---------------|------|
| LOT OWNER | Dittmeiser, Louisa. | SALE ORDER No | 3649 |
| ADDRESS | 1711 N. Bethel St. | Lot No. | 146 |
| PLOT | Locust | Dist No | 2398 |
| AREA | | | |
| LOCATION | Grass 1-2 | | |
| REMARKS | April 12, 1932 | | |
| PRICE AND TERMS | \$70. ⁰⁰ | | |
| SALPMAN | Mc Closkey | | |

| RECORD OF INTERMENTS | | Date of Burial | Int. Reg. No. |
|----------------------|------------------|----------------|---------------|
| 83068 | John T. Trumble | 8/24/82 | 64-6 |
| 10-78 | Lawrence Trumble | 8/24/82 | 68-17 |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |



PLAT TO ACCOMPANY
ZONING PETITION OF
THE PARKWOOD CEMETERY CO.
FOURTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MD

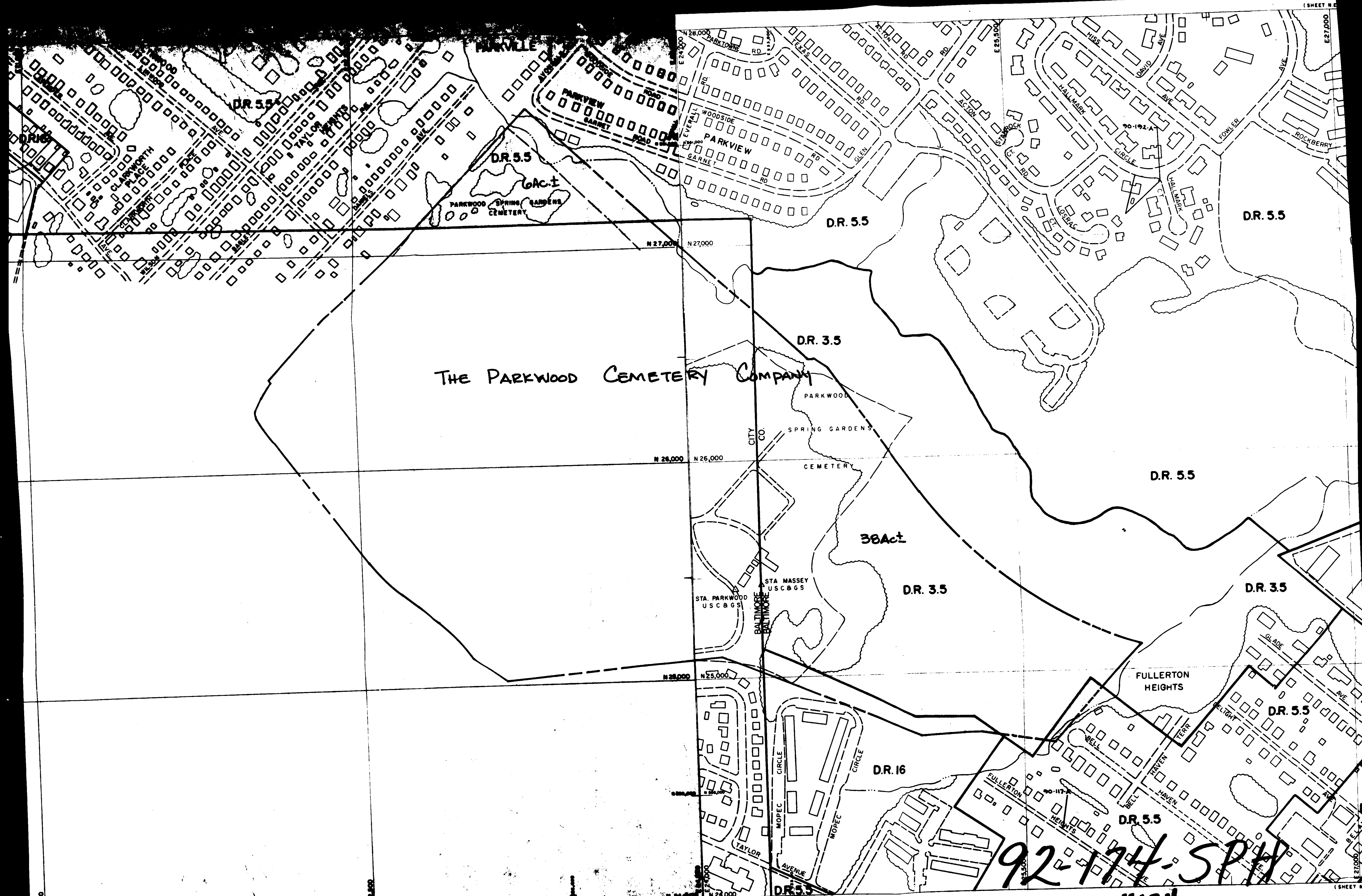
NOTE:
AREA CONTAINED IN
BALTIMORE COUNTY
44 AC.±



SCALE: 1"=200'
OCT. 9, 1991
GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
(301) 823-4470

**PETITIONER'S
EXHIBIT No 1**

COMPILED FROM DEEDS, SURVEYS AND PLATS.



RE COUNTY
NNING AND ZONING
ZONING MAP

| | |
|----------------------|-----------------------|
| SCALE 1" = 200' | LOCATION PARKVILLE |
| DATE JANUARY 1968 | |

N - SE M - SW
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1968 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1968
Ord. Nos. 146-68, 148-68, 149-68, 147-68, 145-68, 144-68, 143-68
Baltimore County Council

#184 BALTIMORE
OFFICE OF PLANNING
OFFICIAL ZONING MAP